REMARKS

The Applicant thanks the Examiner for his thorough review of the application and the indication of allowable subject matter in claims 6-9. Formal amendments have been made to the specification and the claims in view of the Examiner's objections and rejections in the Office Action. No new matter has been added.

At pages 2-3 of the Office Action, the Examiner objects to the drawings under 37 CFR 1.83(a), asserting that Fig. 4 inadequately illustrates the stacking operation. The Applicant respectfully disagrees.

Under 37 CFR 1.83(a), the "drawing in a nonprovisonal application must show every feature of the invention specified in the claims". However, "**conventional features** disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawings in the forms of a graphical drawing symbol or a labeled representation (*e.g.* a labeled rectangular box)."

The Applicant believes that the manner that thermoformed products are stacked on a stacking station is well known in the art and are "conventioned features". Thus, details of the stacking operation is not required. However, in a good faith effort to meet the Examiner's requirements, a new Figure 4c has been added to illustrate the stacking station in more detail. Support for Figure 4c can be found, e.g., at page 6, lines 19-23 of the original specification. The Applicant believes that this objection has been overcome.

Moreover, the Examiner objects to the drawings under 37 CFR 1.83(a), indicating that the means 50 of claim 4, line 6 and claim 6, line 6 must be shown in the figures or canceled from the claims. The numeral 50 (along with all other

numerals in the claims) has been removed. Since the means 5 is illustrated by the figures, the Applicant believes that this objection has been overcome.

At page 3 of the Office Action, the Examine objects to the specification due to a number of informalities. These informalities have been corrected as the Examiner suggested. The Applicant has also revised the specification carefully to correct other terms that could be not clear, concise or exact. The Applicant believes that the specification is now in good order and that this objection has been overcome.

At page 4 of the Office Action, the Examiner objects to claim 5, indicating that the phrases "said handling means are comprises", "thermoformed products which is rotatably supported rotatably" and "can be lift and lowered" make no sense. These phrases have been amended to "said handling means comprises", "thermoformed objects which are rotatably supported" and "can be lifted and lowered", respectively. The Applicant believes that this objection has been overcome.

At the lower part of page 4, the Examiner rejects claims 1-9 under 35 USC 112, first paragraph, asserting that the specification or the drawings does not provide an enabling disclosure of the structure required to stack thermoformed containers and/or lids, as recited in claims 1 and 4, or an enabling disclosure required to pick up moulding of thermoformed products, rotatably support the moulding, or lift and lower the moulding onto the support structure 15, 16, as recited in claim 5.

As mentioned above, the Applicant believes that the structure of the stacking station is well known in the art and is adequately illustrated in Fig. 4c. As to the quoted features of claim 5, they are clearly illustrated in Fig. 4 and explained by the corresponding text (see e.g. page 5, line 15 to page 6, line 13) in the specification. The Applicant believes that this rejection has been overcome.

At pages 5-6 of the Office Action, the Examiner rejects claims 1-9 under 35 USC 112, second paragraph, asserting that these claims have a number of informalities.

The Applicant has amended the claims accordingly. In particular, at claim 1, line 8, the phrase "the others" has been amended to "the other protrusions or spacers"; the phrases "thermoforming phrase mouldings of lids and containers", "thermoformed products of the mouldings" and "thermoformed object" have been replaced by the uniform phrase "thermoformed object(s)" throughout the claims; the phrase "one or a moulding of said container or lids in at least one support template" at claim 1, line 9 has been amended to "one thermoformed object in at least one support template"; the phrases "the same space arrangement" and "all the thermoformed products of the same moulding" at claim 1, lines 4-5 have been amended to "same space arrangement" and "each thermoformed object", respectively; in claim 2, the phrase "turning the said moulding or the single containers or lids of said moulding, while the said thermoformed objects are lifted" has been amended to "turning the thermoformed objects about a vertical axis, while the thermoformed objects are lifted"; in claim 4, the phrases "stacking or working station" and "working or handling station" have been replaced by the uniform phrase "handling station"; at claim 4, line 4, the phrase "in sequence" has been removed; at claim 6, line 1, the phrase "said pick up unit" has been amended to "said head unit". The Applicant believes that the rejections under 35 USC 112, second paragraph have been overcome.

35 USC 102(b) Rejections

At pages 6-7 of the Office Action, the Examiner rejects claims 1-3 under 35 USC 102(b) as being anticipated by Fabrig (US Patent No. 4,369,015). At page 7, claims 4-5 are rejected under 35 USC 102(b) as being anticipated by Narinskii (SU-597-580). These rejections are respectfully traversed.

Fabrig and Narinskii, standing alone or in combination, fail to disclose, suggest, or teach, *inter alia*, the following features recited by claim 1 of the present application:

"obtaining thermoformed objects each formed with at least three stacking

protrusions or spacers having same space arrangement in each thermoformed object, at least one stacking protrusion or spacer of a same thermoformed object being located in a non specular symmetric way with respect to at least a centre line of the respective thermoformed object and at a distance from the same centre line different from that of the other protrusions or spacers";

"arranging one of said thermoformed objects in at least one support template to keep them in order according to the space arrangement"; and

"stacking the thermoformed objects with alternate thermoformed objects rotated by said predetermined angle to obtain stacks of thermoformed objects, where the stacking protrusions of a thermoformed object are offset with respect to those of the next thermoformed object in each stack".

Fabrig discloses an apparatus for stacking notebooks or pads with spiral binders. A turn-around device is used to turn half of the pads in an inverted position before stacking them. Notebooks and pads are certainly in **quite different field** from thermoforming objects. It seems to be very unlikely that a person having ordinary skill in the art of thermoforming objects would have used techniques from notebook stacking. Combining technologies from very different fields can itself qualify as an inventive step.

Moreover, obviously Fabrig's device does not include many elements of the device in the present application. For example, Fabrig nowhere discloses any "**thermoformed** objects". Moreover, Fabrig's device does not have "**at least three stacking protrusions or spacers**" formed on the thermoforming objects, as recited by claim 1 of the present application. The part of a notebook that most resembling stacking protrusions is the spiral binders. However, clearly the spiral binders do not have the feature that "at least one stacking protrusion or spacer of a same thermoformed object being located in a non specular symmetric way with respect to at least a centre line of the respective thermoformed object and at a distance from the same centre line different from that of the other protrusions or spacers", as recited by claim 1 of the present application.

Similarly, Narinskii discloses a book stacker having a 180° turner for second book. Like Fabrig, Narinski belongs to an entirely different field from the present application (thermoforming technology); Narinski nowhere discloses any "thermoformed objects" having "at least three stacking protrusions or spaces", wherein "at least one stacking protrusion or spacer of a same thermoformed object being located in a non specular symmetric way with respect to at least a centre line of the respective thermoformed object and at a distance from the same centre line different from that of the other protrusions or spacers", as recited by claim 1 of the present application.

MPEP 2131 states that a "claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," quoting *Verdegaal Bros v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Since the cited references fail to disclose the elements stated above, the Applicants believe that claim 1 of the present application is patentable. Claims 2-3 are also patentable, at least by virtue of their dependency from claim 1. Moreover, these dependent claims are patentable by virtue of the additional features cited therein.

Likewise, claim 4 recites, in part, "thermoformed objects having at least three projections acting as stacking spacers, at least one of which is arranged at non specular symmetry with respect to at least a centre line of the respective thermoformed object". Claim 4 is patentable for the same reasons as claim 1. Claims 5-9 are also patentable, at least by virtue of dependency from claim 4.

The Applicant has attempted to address all of the issues raised by the Examiner in the Office Action as the Applicant understands them. The Applicant believes that all claims are patentable and that the Application is now in condition for allowance. If any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tcai@ladasparry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Enclosed please find a copy of Troy Guangyu Cai's Notice of Limited Recognition under 35 CFR 10.9(b) to prepare and prosecute patent applications wherein the patent applicant is a client of Ladas & Parry, and the attorney of record in the applications is a registered practitioner who is a member of Ladas & Parry.

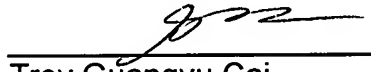
I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on
April 15, 2003
(Date of Deposit)

Troy Guangyu Cai
(Name of Applicant, Assignee or Registered Representative)


(Signature)

4/15/2003
(Date)

Respectfully submitted,



Troy Guangyu Cai
Attorney for Applicant
LADAS & PARRY
5670 Wilshire Blvd., Suite 2100
Los Angeles, California 90036
(323) 934-2300